

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT
FOR THE Southern DISTRICT OF TEXAS
Houston DIVISION

United States Courts
Southern District of Texas
FILED

FEB 17 2023

Allen "F" Calton #1123880
Plaintiff's Name and ID Number

Nathan Ochsner, Clerk of Court

Connally Unit
Place of Confinement

CASE NO. _____
(Clerk will assign the number)

v.

See Attached Pages 2-4
Defendant's Name and Address

Defendant's Name and Address

Jury Trial Demanded

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

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Statement of Jurisdiction

The U.S. District Court's jurisdiction is invoked pursuant to 28 U.S.C. §§ 1331 and 1343 (a) (3) over all federal constitutional and statutory claims.

Statement of Venue

The U.S. District Court, Southern District of Texas, Houston Division is the appropriate venue under 28 U.S.C. § 1391 (b)(1) because it is a judicial district where some of the defendants reside and all of the defendants in this case reside in the state of Texas.

Defendants Names And Addresses

- (1) Texas Department of Criminal Justice
P.O. Box 99
Huntsville, TX. 77342
- (2) Texas Board of Criminal Justice
P.O. Box 99
Huntsville, TX. 77342
- (3) Bryan Collier - Sued in official and individual
P.O. Box 99 capacities
Huntsville, TX. 77342

Defendants Names And Addresses

- (4) Patrick L. O'Daniel - Sued In Individual and official
P.O. Box 99 Capacities
Huntsville, TX. 77342
- (5) Oscar merloza - Sued in individual and official
P.O. Box 99 Capacities
Huntsville, TX. 77342
- (6) Alphonso Rayford - Sued In Individual and official
Connally Unit Capacities
899 FM 632
Keredy, TX. 78119
- (7) Warden Cuettio - Sued In official Capacity and
Connally Unit Individual Capacities
899 FM 632
Keredy, TX. 78119
- (8) Joseph C. Obi - Sued In official and Individual
Connally Unit Capacities
899 FM 632
Keredy, TX. 78119

Defendant Names And Addresses

- (9) Cyril C. Onyemaechi - Sued In Individual and
Connally Unit official Capacity
899 FM 632
Keredy, TX. 78119
- (10) Debra Gloor - Sued In Individual and
Connally Unit official Capacity
899 FM 632
Keredy, TX 78119
- (11) Dr. Tupa - Sued In Individual and
Connally Unit official Capacity
899 FM 632
Keredy, TX. 78119

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$352.00 plus an administrative fee of \$50.00 for a total fee of **\$402.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "...if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$352.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ☒ YES ☐ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: SEE Attached Pages 6-20
 2. Parties to previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

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I Previous Lawsuits

Suit #1

- (1) Approximate date of filing lawsuit: 10-11-12
- (2) Parties to previous lawsuit
Plaintiff: Allen "F" Calton
Defendants: City of Garland, Garland P.O., Shupe, Clark, Banda, Puckett, Lt. K.R. Davis and Chief Wilson, John Doe I and John Doe II
- (3) Court: U.S. District Court Northern District of Texas Dallas Division
- (4) Docket Number: 3:02-CV-2215-N
- (5) Name of Judge: David Godbey
- (6) Disposition: Jury Trial found in a favorable defendant verdict that Plaintiff take nothing on or about
- (7) Approximate date of disposition: 3-5-05

Suit #2

- (1) Approximate date of filing lawsuit: 10-11-02
 - (2) Parties to previous lawsuit:
Plaintiff: Allen "F" Calton
Defendants: Charlotte Ehlinger, Danny Shephard, Tracy Larson, Jerry Wimberly, Lt. Christian, Matthew Coewer, M. Rager, Lt. Johnson, Lt. West, Dee Anderson, Chief Knowles and Chief Simon
 - (3) Court: U.S. District Court Northern District of Texas Fort Worth Division
 - (4) Docket Number: Civil Action No. 4:02-CV-845-A
 - (5) Name of Judge: John McBryde
 - (6) Disposition: Case dismissed pursuant to 28 U.S.C. § 1915(b) on 4-16-03 for lack of subject matter jurisdiction
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I Previous Lawsuits

(7) Approximate Date of Disposition : 4-16-03

Suit #3

(1) Approximate date of Filing Lawsuit : 5-8-03

(2) parties to previous lawsuit :

Plaintiff : Allen "F" Calton

Defendants : Dr. Fagan, Dr. Loewen, Dr. weight and Dr. waggoner
and J.P.S. Health Network in care of David Cecero

(3) Court : 348th Judicial District Court, Tarrant County

(4) Docket Number : 348 -198781-03

(5) Name of Judge : Dana womack

(6) Disposition : plaintiff non-suited the Action

(7) Approximate date of disposition : 11-7-03

Suit #4

(1) Approximate date of filing Lawsuit : Fall 2005

(2) Parties TO Previous Lawsuit :

Plaintiff : Allen "F" Calton

Defendants : Cole, Tewman, Williams, Johnson, Mitchell, Walls, Terry,
Dallas County, McMillan, Porter, Sheriff Bowles and Sheriff Valdez

(3) Court : U.S District Court Northern District of Texas Dallas Division

(4) Docket Number : Civil Action No. 4:05-CV-2022-N

(5) Name of Judge : David Godbey

(6) Disposition : Dismissed in part for being frivolous pursuant to
28 U.S.C. 1915 (A)(3)(i) and 42 U.S.C. 1997e(c)(1). Remaining
Defendants Granted Summary Judgment

(7) Approximate Date of Disposition : 6-8-06 and 8-27-07
respectively.

I Previous Lawsuits

Suit #5

(1) Approximate date of Filing Lawsuit : 11-4-05

(2) Parties To Previous Lawsuit :

Plaintiff : Allen "F" Calton

Defendants : Dr. Waggoner, Nurse Tucker, Jacqueline, Curtis, ms. Chandler, Jane Doe, Harrison, D. Derusha, J. Thomas, Sam Haber, Felder, Collier, Gracia, J. Evans, Don Taylor, Sgt. Closner, D. Bailey, C. Garrett, Mr. Cole, C. Akomos, Gayle, G. Christian, John Doe, Tarrant County, J.P.S. Health Network, Sheriff Anderson, David Cecero, Chief Stromile, Chief Simon, Gayle Gray.

(3) Court : U.S. District Northern District of Texas Fort Worth Division

(4) Docket Number : Civil Action No. 4:05-CV-103-Y

(5) Name of Judge : Terry Means

(6) Disposition : Dismissal of all official claims against defendants arising from several incidents pursuant to 28 U.S.C. § 1915 A and Alternatively § 1915 (e) (2)(B). Additional individual claims dismissed as frivolous and were later dismissed for failure to administratively exhaust on 9-23-08 during Summary Judgment

(7) Approximate date of disposition : 9-23-08

Suit #6

(1) Approximate date of Filing Lawsuit : 1-19-06

(2) Parties To Previous Lawsuit : Plaintiff Allen "F" Calton

(3) Court : U.S. District Court Southern District of Tex. Houston Div.

(4) Docket Number : Civil Action No. 4:06-CV-00209

(5) Name of Judge : Kenneth Hoyt

(6) Disposition : Case dismissed pursuant to 28 U.S.C. § 1915 (2)(B)

(7) Approximate date of Disposition : 3-16-06

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I Previous Lawsuits

Suit # 7

- (1) Approximate date of filing lawsuit : 7-28-08
- (2) Plaintiff : Allen "F" Carlton
Defendants : S. Lehman, S. Milhauser, Dr. Julito, Trust. CS Pharmacy
Committee, Denise Deshields, Tasha James, Renee LeAZ, Stephanie Zepeda
Bill Tony, Owen Murray and Robert William
- (3) Court : U.S. District Court Northern District of Texas
- (4) Docket Number : Civil Action No. 5:08-cv-152-BG.
- (5) Name of Judge : Nancy Koenig
- (6) Disposition : Dismissed pursuant to 28 U.S.C. § 1915(e)(2); 28 U.S.C.
§ 1915(A)(b) and 42 U.S.C. § 1997e(c)
- (7) Approximate Date of Disposition : 6-1-09

Suit #8

- (1) Approximate Date of Filing Lawsuit : 5-1-09
- (2) Parties to Previous Lawsuit :
(Plaintiff) : Allen "F" Carlton
Defendants : Samuel Hallman, Richard Tolles, Beverly Love, H. Krischke,
Sgt. Canclito, Carole O'Bryant, Jamie Williams, Christine O' Connor,
Cynthia Luna, M. Warren, Brad Livingston, UTM B, J.T.U. 4. S.S.C.,
Denise Deshields, Owen Murray, Linnette Linthicum, Warden Giesel,
Teresa Moya, Mr. Rowlette, Tasha James
- (3) Court : U.S. District Court Southern District of Texas Houston Division
- (4) Docket Number : Civil Action No. 4:09-cv-01340
- (5) Name of Judge : Sam Lake
- (6) Disposition : Dismissed pursuant to 28 U.S.C. § 1915(g)
- (7) Approximate date of disposition : 5-8-09

I Previous Lawsuits

Suit #9

- (1) Approximate Date of Filing Lawsuit : 8-3-09
- (2) Parties TO Previous Lawsuit :
Plaintiff TO Previous Lawsuit : Allen "F" Carlton
Defendants : Samuel Hallman, Richard Toiles, Beverly Love, Kriselle, Sgt. Cannito, Carole O'Bryant, Jamie Williams, Christine O'Connor, Cynthia Luna, M. Warren, Brad Livingston, U.T.B., T.T. U.T.S.S.C., Denise Deshields, Owen Murray, Linnette Luthicum, Warden Gihel, Teresa Maya, Mr. Rowlette, Tasha James
- (3) Court : U.S. District Court Southern District of Texas-Houston Division
- (4) Docket Number : Civil Action No. 09-CV-02507
- (5) Name of Judge : Nancy Atlas
- (6) Disposition : Defendants Granted Summary Judgment on 5-27-11
- (7) Approximate Date of Disposition : 5-27-11

Suit #10

- (1) Approximate Date of Filing Lawsuit : 2-24-12
- (2) Parties TO Previous Lawsuit :
Plaintiff : Allen "F" Carlton
Defendants : Warden Motal, Capt. Hallman, Officer Zimmerman, Dr. Wright, Dr. Thompson, L. Randle, M. Stephenson, K. Stotts, Capt. Stephenson, A. Barker, J. Quick, L. Marshall, Sgt. Brown, Officer McCray, McCoy, Officer Cline, C. Sherick, Sgt. Ross, M. Morgan, K. January, C. Marshall, Ramirez, M. Chaney, V. Bell, C. Harris, McClanahan, Crawford, R. Criss, W. Warren, L. Quick, S. Belcher, K. Jennings, G. Wright, Billy Shelton, J. Boger, Capt. Jock, B. Hammond, Sgt. Cubey, D. Rhodes, P. Coleman, and Texas Board of Criminal Justice
- (3) Court : U.S. District Court Eastern District of Texas-Tyler Division
- (4) Docket Number : Civil Action No. 6:12-CV-87

I Previous Lawsuits

- (5) Name of Judge : Leonard Davis
- (6) Disposition : dismissed with prejudice pursuant to 28 U.S.C. § 1915(g) on 3-12-12
- (7) Approximate Date of Disposition : 3-12-12

Suit #11

- (1) Approximate Date of Filing Lawsuit : 5-22-12
- (2) Parties To Previous Lawsuit :
 - Plaintiff : Allen L. Carlton
 - Defendants : Warden Motul, Capt. Holman, Officer Zimmerman, Mr. Wright, Dr. Thompson, L. Randle, M. Stephenson, Capt. Stephenson, K. Stotts, A. Barker, J. Quick, L. Marshall, Sgt. Brown, Officer McCray, McCoy, Officer Cline, C. Sherrick, Sgt. Ross, M. Morgan, K. Janway, C. Marshall, Ramirez, M. Chaney, N. Bell, C. Harris, McClanahan, Crawford R. Criss, W. Warner, L. Quick, S. Belden, K. Jennings, G. Wright, Billy Skelton, J. Boger, Capt. Jock, B. Raymond, Sgt. Cuba, D. Rhodes, P. Coleman, and Texas Board of Criminal Justice
- (3) Court : U.S. District Court Eastern District of Texas - Tyler Division
- (4) Docket number : Civil Action No. 6:12-CV-344

- (5) Name of Judge : Leonard Davis
- (6) Disposition : Dismissed with prejudice pursuant to 28 U.S.C. § 1915(g) as to the refiling of another in forma pauperis lawsuit raising the same claims as herein presented, but without prejudice to the re-filing of the lawsuit without seeking in forma pauperis status and upon payment of the statutory \$5200 filing fee.
- (7) Approximate Date of Disposition : 8-1-12

Suit #12

- (1) Approximate Date of Filing Lawsuit : 3-22-13
- (2) Parties To Previous Lawsuit :
 - section 1983 Complaint page 11 of 92.

I Previous Lawsuits

Plaintiff : Allen "F" Calton

Defendants : warden motel, Capt. Holman, officer Zimmerman, Dr. Wright, Dr. Thompson, L. Randle, m. stephenson, K. Stotts, Capt. Stephenson, A. Barker, J. Quick, L. Marshall, Sgt. Brown, officer McCray, McCoy, officer Cline, C. Sherrick, Sgt. Ross, m. Morgan, K. January, C. Marshall, Ramirez, m. Chaney, N. Bell, C. Harris, McClanahan, Crawford, R. Criss, W. Warren, S. Belcher, K. Jennings, G. Wright, Billy Shelton, J. Boger, Capt. Jock, B. Raymond, Sgt. Cuba, D. Rhodes, P. Coleman, Sgt. Fhernado, officer Williams and The Texas Board of Criminal Justice

(3) Court : 349th Judicial District Court, Anderson County, Texas

(4) Docket Number : 349-7147

(5) Name of Judge : Pam Foster-Fletcher

(6) Disposition : Dismissed without prejudice pursuant to Chapter 14
Tex. Civ. Proc. Rem. Code

(7) Approximate Date of Disposition : 7-3-13

Suit #13

(1) Approximate Date of Filing Lawsuit : 3-17-14

(2) Parties To Previous Lawsuit :

Plaintiff : Allen "F" Calton

Defendants : warden motel, Capt. Holman, officer Zimmerman, Dr. Wright, Dr. Thompson, L. Randle, m. stephenson, K. Stotts, Capt. Stephenson, A. Barker, J. Quick, L. Marshall, Sgt. Brown, officer McCray, McCoy, officer Cline, C. Sherrick, Sgt. Ross, m. Morgan, K. January, C. Marshall, Ramirez, m. Chaney, N. Bell, C. Harris, McClanahan, Crawford, R. Criss, W. Warren, S. Belcher, K. Jennings, G. Wright, Billy Shelton, J. Boger, Capt. Jock, B. Raymond, Sgt. Cuba, D. Rhodes, P. Coleman, Sgt. Fhernado, officer Williams, Jose Chapa and Texas Board of Criminal Justice

(3) Court : U.S. District Court Eastern District of Texas - Tyler Division

I Previous Lawsuits

(4) Docket Number : 6:14 CV-212

(5) Name of Judge : Leonard Davis

(6) Disposition : It was recommended by magistrate Judge John Lane that Calton's Application to Proceed in Forma Pauperis should be denied due to three prior strikes which was adopted by the district court.

(7) Approximate Date of Disposition : May 2014

Suit #14

(1) Approximate Date of Filing Lawsuit : 3-20-14

(2) Parties : Allen "F" Calton - Plaintiff
Defendant : Lt. La Morris Marshall

(3) Court : 3rd Judicial Court, Anderson County, Texas

(4) Docket Number : 3-42122

(5) Name of Judge : Mark Calhoun

(6) Disposition : Dismissed without prejudice on 5-7-14 because the court found the claim to be frivolous or malicious. The court also found the claims frivolous under chapter 14.003

(a)(b) and request is denied to proceed in Forma Pauperis

(7) Approximate Date of Disposition : 5-7-14

Suit #15

(1) Approximate Date of Filing Lawsuit : 5-1-14

(2) Parties : Allen "F" Calton - Plaintiff

Defendants : Warden Motel, Capt. Holman, Officer Zimmerman, On Wright, Dr. Thompson, L. Randle, M. Stephens, R. Stotts, Capt. Stephenson, A. Barker, J. Quick, L. Marshall, Sgt. Brown, Officer McCray

I Previous Lawsuits

McCoy, Officer Cline, C. Sherrick, L. Marshall, Sgt. Brown, M. Morgan, K. January, C. Marshall, Sgt. Ross, Ramirez, M. Chaney, V. Bell, C. Harris, Mc Clanahan, Crawford, R. Criss, W. Warren, L. Quick, S. Belcher, K. Jennings, G. Wright, Billy Shelton, J. Boger, Capt. Jock, B. Raymond, Sgt. Cuba, D. Rhodes, P. Coleman, Sgt. Iheanacho, Officer Williams, Jose Chapa, David Hersley, David Langston, Pam Pace-Moore and The Texas Board of Criminal Justice.

- (3) Court: U.S. District Court, Eastern District of Texas - Tyler Division
- (4) Docket Number: 6:14-cv-457 -KUM
- (5) Name of Judge: Mitchell
- (6) Disposition: Dismissed with prejudice for purposes of ~~IT~~ Forma Pauperis proceeding pursuant to 28 USC § 1915(g)
- (7) Approximate Date of Disposition: 6-4-14

Suit #16

- (1) Approximate Date of Filing Lawsuit: 6-2-14
- (2) Parties
 - Plaintiff: Allen "F" Calton
 - Defendant: Lt. La Morris Marshall
- (3) Court: 3rd Judicial District, Anderson County, Texas
- (4) Name of Judge: Mark Calhoun
- (5) Docket Number: 3-42179
- (6) Disposition: Dismissed As Frivolous and/or malicious
- (7) Approximate Date of Disposition: July 2014

I Previous Lawsuits

Suit #17

- (1) Approximate Date of Filing Lawsuit : 10-21-14
- (2) Parties :
Plaintiff : Allen "F" Calton
Defendant : Edgar Baker Jr.
- (3) Court : US District Court Eastern District of Texas-Tyler Division
- (4) Docket Number : 6:14-cv-00822
- (5) Name of Judge : Nicole Mitchell
- (6) Disposition : Dismissed without prejudice for Failure to Exhaust administrative remedies pursuant to 42 U.S.C. § 1997e(a)
- (7) Approximate Date of Disposition : November 2014

Suit #18

- (1) Approximate Date of Filing Lawsuit : 10-21-14
- (2) Parties : Plaintiff : Allen "F" Calton
Defendant : Edgar Baker Jr.
- (3) Court : 87th - Judicial, Anderson County, Texas
- (4) Name of Judge : Deborah Dakes
- (5) Docket Number : 87-12151
- (6) Disposition : Dismissed As Frivolous or Malicious
- (7) Approximate Date of Disposition : November 2014

Suit #19

- (1) Approximate Date of Filing Lawsuit : 2-2-16
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I Previous Lawsuits

(2) Parties

Plaintiff : Allen "F" Catton

Defendants : Sgt. Kutt, Officer Kwartel, Sgt. Hyatt, Christopher Hollman, G. Exeke, A. BreauX, H. Durant, Sgt. Harner, R. Hanks, Sgt. K. Jones, M. Guillory, Ms. Matthews, J. Read, Captain Goodman

(3) Court : 58 Th. Judicial, Jefferson County, Texas

(4) Docket Number : A-1980864

(5) Name of Judge : Kent Walston

(6) Disposition : Dismissed Pursuant to Tex. Prac. Ren. Code § 16.05b

(7) Approximate Date of Disposition : 10-10-16

Suit #20

(1) Approximate Date of Filing : 10-13-16

(2) Parties : Plaintiff : Allen "F" Catton

Defendant : Pinkie Patel, Dale Wainwright, Dr. Eadesley, Dr. Tucker Owen Murray, Linette Luthrum, John Doe I, John Doe II, Owen Murray, Linette Luthrum, John John Doe I, John II, Robert Williams, Manual Hirsh, D.D.S., Cheryl A. Breau, Wanda Daigle, Carla Verover and Texas Board of Criminal Justice

(3) Court : U.S. District Court Eastern District of Texas Beaumont Division

(4) Name of Judge : Marcia Crane

(5) Disposition : Dismissed without prejudice due to the \$100.00 Sanction out of the U.S. District Court Northern District of Texas

(6) Docket Number : Civil Action No. 1:16-CV-429

(7) Approximate Date of Disposition : 3-13-17

I Previous Lawsuits

Suit #21

- (1) Approximate Date of Filing Lawsuit: July 2017
- (2) Parties: Plaintiff: Allen "F" Carlton
Defendant: Pinkie Patel, Dale Watwright, Dr. Eckerley,
Dr. Tucker, Ower Murray, Lynette Luthman, John Doe I,
John Doe II, Robert Williams, Manual Hirsh, D.D.S.,
Cheryl Andrew, Wanda Dagle, Carla Deroun and the
Texas Board of Criminal Justice
- (3) Court: U.S. District Court Eastern District of Texas - Beaumont Division
- (4) Name of Judge - Marcia Crome
- (5) Disposition: Defendants Granted Summary Judgment i.e. suit
dismissed pursuant to Fed. R. Civ. P. Rule 56(c)
- (6) Docket Number: Civil Action No. 1:17-CV-00239
- (7) Approximate Date of Disposition: 10-17-22

Suit #22

- (1) Approximate Date of Filing Lawsuit: 9-23-21
- (2) Parties: Plaintiff: Allen "F" Carlton
Defendant: David G. Gutierrez, James LaFavers, Carmella
Jones, Ed Robertson, Dwayne Jennigan, Brian Longard Linda Molina
- (3) Court: U.S. District Court Western District of Texas - Austin Division
- (4) Name of Judge: Lee Yeakel
- (5) Disposition: Plaintiff moved to voluntarily dismiss FRCP 41
- (6) Docket Number: Civil Action No. 1:21-CV-846-LY
- (7) Approximate Date of Disposition: November 4, 2021
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I Previous Lawsuits

Suit # 23

- (1) Approximate date of filing lawsuit : 8-16-22
- (2) Parties to previous lawsuit :
Plaintiff : Allen "F" Carlton
Defendants : Sharon Wilson , Amy Byrum and
Hannah Bell
- (3) Court : U.S. District Court Northern District of Texas
Fort Worth Division
- (4) Docket Number : 4:22-cv-710-P
- (5) Name of Judge : Judge Mark Pittman
- (6) Disposition : Dismissed ~~As Frivolous~~, malicious or for failure
to state a claim where relief could be granted.
- (7) Approximate date of Disposition : 10-14-22

Suit # 24

- (1) Approximate date of filing lawsuit : 9-6-22
- (2) Parties to previous lawsuit :
Plaintiff : Allen "F" Carlton
Defendants : U.S. Supreme Court and Chief Justice
John Roberts and Justices Samuel Alito Jr. , Sonia
Sotomayer , Elena Kagan , Neil Gorsuch , Brett Kavanaugh,
Amy Coney Barrett, Ketanji Brown Jackson and Clarence Thomas
- (3) Court : U.S. District Court For The District Of Columbia
- (4) Docket Number : 1:22-cv-02861
- (5) Name of Judge : Timothy J. Kelly

I Previous Lawsuits

(6) Disposition : Dismissed for Lack of Subject matter Jurisdiction

(7) Approximate date of disposition : 10-21-22

Suit #25

(1) Approximate date of filing lawsuit : 9-13-22

(2) Parties to previous lawsuit :

Plaintiff : Allen "F" Carlton

Defendants : Judges Sharon Keller, Mike Keasley, Barbara P. Hervey, Bert Richardson, Kevin P. Yeary, David Newell, Mary Lou Keel, Scott Waller and Michelle Slaughter

(3) Court : U.S. District Western District of Texas Austin Division

(4) Docket Number : 1:22-cv-00927-RP

(5) Name of Judge : Robert Pitman

(6) Disposition : Dismissed as frivolous, malicious or for failure to state a claim where relief could be granted

(7) Approximate date of disposition : 10-31-22

Suit #26

(1) Approximate date of filing lawsuit : 9-16-22

(2) Parties to previous lawsuit :

Plaintiff : Allen "F" Carlton

Defendant : U.S. Court of Appeals, Fifth Circuit, Justice Samuel Alito Jr. and Circuit Judge Owen, Willet, Ho, Smith, Haynes, Stewart, Oldham, Davis, Southwick, Elrod

I Previous Lawsuits

Jones, Jolly, Garza, Weiner, Graves, Higginsbotham, Dennis, King and Circuit Judges John or Jane Doe one thru Ten.

(3) Court : U.S. District Court Eastern District of Louisiana

(4) Docket Number 2:22-cv-03372-NJB-KWR

(5) Name of Judge : Nannette Jolivet Brown

(6) Disposition : Pending

(7) Approximate date of disposition :

II. PLACE OF PRESENT CONFINEMENT: Connally Unit

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? ✓ YES NO.

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT: Allen "F" Carlton # 1123880

A. Name and address of plaintiff: Connally Unit
899 FM 632
Keredy, TX. 78119

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Texas Department of Criminal Justice, P.O. Box 99,
Huntsville, Tx. 77342

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Failed to provide temperature controlled housing and a wheelchair

Defendant #2: Texas Board of Criminal Justice, P.O. Box 99,
Huntsville, Tx. 77342

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Failed to

promulgate policy to provide temperature controlled housing and a wheelchair

Defendant #3: Brian Collier - Executive Director Texas Department of Criminal
Justice, P.O. Box 99, Huntsville, Texas 77342

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Failed to provide Temperature Controlled housing and a wheel chair

Defendant #4: Patrick L. O'Daniel - Chairman of The Texas Board of Crimi-
nal Justice, P.O. Box 99, Huntsville, Texas 77342

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Failed to

promulgate policy to provide temperature controlled housing and a wheelchair

Defendant #5: Oscar Merloza - Deputy Executive Director Texas Department
of Criminal Justice, P.O. Box 99, Huntsville, TX. 77342

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Failed to provide Temperature Controlled housing and a wheel chair

IV Parties to This Suit

Defendant #6 Alphonso Rayford - warden at the Connally unit at the time in question, 899 FM 632, Kenedy, TX. 78119

Briefly describe the acts or omissions of this defendant:

Failed to provide Temperature Controlled housing and a wheelchair

Defendant #7

Cuetto - warden at the Connally unit
899 FM 632, Kenedy, TX. 78119

Briefly describe the acts or omissions of this defendant:

Failed to provide Temperature controlled housing and a wheelchair

Defendant #8

Joseph C. Obi - medical provider at the Connally unit, 899 FM 632, Kenedy, TX. 78119

Briefly describe the acts or omissions of this defendant:

Failed to provide a wheelchair.

IV Parties to This Suit

Defendant #9 Cyril C. Onyemachi - medical Provider
at the Connally Unit, 899 FM 632, Kenedy, TX. 78119

Briefly describe the acts or omissions of this defendant:

Failed to provide a wheelchair

Defendant #10 Debra Gloor - Senior Practice Manager
UTMB Correctional managed care at the Connally Unit,
899 FM 632, Kenedy, TX. 78119

Briefly describe the acts or omissions of this defendant

Failed to provide a wheel chair

Defendant #11 Dr. Tupa - Connally Unit medical Director
Connally Unit, 899 FM 632, Kenedy, TX. 78119

Briefly describe the acts omissions of this defendant:

Failed to approve a wheelchair being provided due
to failure to consent to surgery

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

See Attached Pages 25-65

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

See Attached Pages Specifically describing Compensatory, punitive, nominal and prospective relief sought herein pages 66-70

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Allen Fitzgerald Catton Allen Fitzgerald Catton Allen "F" Catton

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

420380 # 484586 # 1123880

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ☒ YES ☐ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): See Attached page 71

2. Case number: _____

3. Approximate date sanctions were imposed: _____

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